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Kil-soo Jung

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EXAMINER

STANLEY, MARK P

ART UNIT

PAPER NUMBER

2623

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/797,563

Applicant(s)

JUNG ET AL.

Examiner

MARK P. STANLEY

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 40.52 and 54-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 40.52 and 54-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S5108)
Paper No(s)/Mail Date 3/27/2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment filed on 3/18/2008.
2. Claims 40, 52, 54-61 are pending in the application. Claims 1-25 and 41-51 have been canceled. Claims 40, 52, and 60-61 have been amended.

Response to Arguments

3. Applicant's arguments filed 3/18/2008 with respect to claims 40, 52, 54-61 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues "Nonomura does not disclose title information, which corresponds to the at least one title, and comprising title access type information indicating whether title search to the corresponding title is permitted". Examiner respectfully disagrees, at least one VOB played in a set order determined by the PGC is a title, where multiple PGC and multiple titles may exist on a single disc for reproduction (Figs. 5-6), and each program chain contains attribute information whether a user may control access to a title corresponding to the program chain. Furthermore, a user may perform a title search via means such as trick play functions for skipping forward or backward between points in a program chain or between linked program chains, thus a user may title search by switching between program chains each program chain controlling reproduction of its corresponding title. Accordingly, a user is unable to control titles searches between titles and program chains that are not permitted for access by a user and thus a user is made unaware of titles, where the titles are essentially hidden to the user and unable to be controlled or accessed by a user.

Applicant argues "Nonomura does not disclose that the attribute information in any way corresponds to the VOBs identified by the program chain". Examiner respectfully disagrees, Nonomura discloses a program chain controlling playback of a specific group of VOBs and attribute information associated with the specific group of VOBs (Figs. 6-7) where the VOBs may not be played back without the use of a program chain, therefore the program chain, program chain attribute information, and specific group of corresponding VOBs are considered a single entity title whether they are a contiguous block of data on a disc or not, whether a title on a disc contains VOBs from a different title on the same disc is of null point in that a title entity is determined by the entirety of group and not by the individual parts within the group.

Applicant argues "the attribute table disclosed in Nonomura does not indicate whether the user is able to control the title to be reproduced. The attribute table merely identifies a level ID relating to a parental lock level of the program chain." Examiner respectfully disagrees, in that a user may not control reproduction of the titles and perform title searches via trick mode functions unless the attribute table permits access for a user. Furthermore, whether a title on a disc contains VOBs from a different title on the same disc is of null point in that an attribute table entry is determined based on a title entity as determined by the entirety of group and not by the individual parts within the group.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 40, 52, 54, and 60-61 are rejected under 35 U.S.C. 102(b) as being anticipated by Nonomura et al. (US 5,915,067 A hereinafter Nonomura).

Regarding claim 40, Nonomura discloses "an information storage medium, comprising:

at least one title which is reproduced as a motion picture; and" (col. 19, lines 23-24, Fig. 4, where a group of at least one VOB played in a set order determined by the PGC is considered a title which is reproduced as motion picture)

"title information, which corresponds to the at least one title," (col. 19, line 29, Fig. 5)

"wherein the title information comprises title access type information indicating whether title search to the corresponding title is permitted." (col. 19, lines 42-45, Fig. 7, where the attribute table determines access to the title based on the level ID, where it is necessary for the access type information be set at a level such that a title search may be performed when accessing the

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corresponding title, where a title search is performed via trick mode functions such as skipping forward or backward between points in a program chain)

Regarding claim 52, the Nonomura discloses “a reproducing apparatus using an information storage medium, comprising:

a reader which reads titles and title information corresponding to the respective titles from the information storage medium; and” (Figs. 13A, 13B, item 82 the optical pick up is the reader)

“a decoder which selectively decodes the titles based on the title information,” (col. 18, lines 9, 28, col. 19, lines 22-35, Fig. 13B, where it is necessary that a decoder must be included for the system control unit such that an ability to interpret control information and other stored data read from the disc is present)

“wherein the title information comprises title access type information indicating whether title search to the corresponding title is permitted and attribute information in the title information designating user control of the selected decoded titles.” (col. 18, lines 9, 28, col. 19, lines 22-35, Fig. 13B, where the system control unit receives control information including attribute information read from the disc, the given attribute information determining user control)

Regarding claim 54, the Nonomura discloses “the reproducing apparatus of claim 52, wherein the decoder interprets startup information from the title

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information and decodes one of the titles corresponding to the startup information first" (col. 19, lines 8-21, Figs. 4-5, video manager information and video title set information is read from the disc for initial reproduction).

Regarding claims 60-61, Nonomura discloses "the information storage medium of claim 40, wherein the title search to the title is permitted when a value of the access type information is 0, and the user operation to the title is prohibited when the value of the access type information is 1" (Nonomura teaches a more robust attribute system with the use of an information storage medium involving a wider ranger of variables when determining user access to titles, col. 19, lines 33-35, lines 42-44, col. 24, lines 12-32, Fig. 7, the PGC available is based on the level ID matched with the attribute table of Fig. 7, where the PGC controls entry points and play order of the VOBs, where the number of level IDs can be a varying number as described in col. 24, lines 12-32, hence it is inherent if there are only two level IDs used, as null or 1, where null is representative of 0 giving permission and 1 giving restriction, and where it is necessary for the access type information be set at a level such that a title search may be performed when accessing the corresponding title, where a title search is performed via trick mode functions such as skipping forward or backward between points in a program chain).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 55-59 and are rejected under 35 U.S.C. 103(a) as being unpatentable over Nonomura et al. (US 5,915,067 A hereinafter Nonomura) in view of Kanazawa et al. (US 6,580,870 B1 hereinafter Kanazawa)

Regarding claims 55, Nonomura discloses "the apparatus of claim 54, wherein each title comprises at least one of,

core mode data which comprises audio and/or video (AV) data and navigation commands corresponding to the AV data; and" (refer to discussion on claim 14 above and Fig. 5, Fig. 9, where core mode data is the audio/video data stored in the VOBs, and the navigation data is contained in the PGCs).)

"full mode data which comprises at least one of program data enabling interaction with a user" (col. 15, lines, 1-4, col. 21, lines 33-35, Figs. 19-20, where the full mode data for interactive reproduction is included within the VOBs)

But, Nonomura does not explicitly state the use of "browsing data that enables Internet browsing".

However, Kanazawa discloses reproducing an interactive disc, where the browsing data store on a DVD medium in the form of an HTML file (col. 13, lines 66-67, col. 14, lines 1-7, Fig. 18) enables internet browsing (col. 15, lines 33-57,

Figs. 19A, 19B, 20, item S106 where interactive internet browsing occurs during playback of the DVD).

It would have been obvious to one of ordinary in the art at the time the invention was made to have been motivated to combine the storage medium of Nonomura containing core mode data and full mode data without browsing data with that of Kanazawa containing browsing data for internet browsing. One would have been motivated to do so for an improved interactivity and access of information with the medium by providing internet browsing capabilities.

Regarding claim 56, Nonomura discloses “the apparatus of claim 55, wherein the decoder comprises:

“a program engine decoding the program data and executing program commands from the decoded program data;

a navigation engine decoding navigation commands in the titles and the title information;” (col. 18, lines 9, 28, col. 19, lines 22-35, Fig. 13B, item 93 the system control unit)

“a presentation engine decoding the AV data; and” (Fig. 13B, item 85)

“an application manager controlling reproduction of the titles based on whether a portion of each title is startup information, core mode data, or full mode data and user input when the attribute information designates that the respective title is controllable by the user.” (col. 18, lines 9, 28, col. 19, lines 22-35, Fig. 13B, item 93 the system control unit, where full mode data does not include browsing data)

But, Nonomura does not explicitly disclose the use of an application manager that controls full mode data with browsing data or a browsing engine, Kanazawa does disclose the use of "a browsing engine decoding the browsing data and executing browsing commands from the decoded browsing data" (col. 11, lines 11-15, Fig. 16, item 117) and the manager for controlling information (Fig. 16, item 201).

However, it would have been obvious to one of ordinary in the art at the time the invention was made to have been motivated to combine the reproduction apparatus of Nonomura with that of Kanazawa containing a browsing engine and control browsing data for internet browsing. One would have been motivated to do so for an improved interactivity and access of information with the medium for reproducing by providing internet browsing capabilities.

Regarding claim 57-58, Nonomura and Kanazawa further disclose using full mode data with core mode data, where a manager is used for interlocking the core mode data with the full mode data during reproduction (see Kanazawa col. 15, lines 34-45, Fig. 19A, interlocking interactive browsing data with core mode A/V data during reproduction), where the conversion of reproducing with core and full mode data is included in both the hidden titles and normal titles, hence mode conversion for reproducing both core and full mode data occurs when the hidden title is viewed.

Regarding claim 59, Nonomura discloses the system control unit controlling use of PGC, where in Figs. 6-8, each PGC is played in a predetermined order, and when a title is prohibited, the prohibited PGC is still intended to be decoded in a predetermined order.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contacts

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **MARK P. STANLEY** whose telephone

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number is (571)270-3757. The examiner can normally be reached on 8:00AM - 5:00PM Mon-Fri EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark P Stanley/
Examiner, Art Unit 2623

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2623